

AN ORDINANCE **99355**

**AMENDING CHAPTER THIRTY-FIVE OF THE CITY CODE,
ARTICLE III, ZONING, AND APPENDIX A BY ADDING A
NEW SECTION 35-339.03, NATIONAL HIGHWAY SYSTEM
HIGH PRIORITY CORRIDOR DISTRICTS.**

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WHEREAS, the City's Master Plan Policies, adopted May 29, 1997 recommended that the City develop strategies and initiatives to increase opportunities for international transportation of people and goods to strengthen San Antonio's position in global economic and cultural markets; and

WHEREAS, since passage of the North American Free Trade Agreement (NAFTA) traffic has increased on the major highways in South Texas;

WHEREAS, the Transportation Equity Act for the 21st Century designates High Priority Corridors;

WHEREAS, Interstate 35 has been designated a High Priority Corridor;

WHEREAS, between 1990 and 2000 certain locations of Interstate 35 within the San Antonio City Limits have experienced average daily traffic increases by as much as 127%;

WHEREAS, additional High Priority Corridors in San Antonio could be designated through an act of Congress;

WHEREAS, the City Council aims to preserve, enhance, and perpetuate the value of designated High Priority Corridors; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, of the City Code of San Antonio, Texas, Article III, is hereby amended by adding a new Section 35-339.03 as follows:

**35-339.03 NATIONAL HIGHWAY SYSTEM HIGH PRIORITY CORRIDOR
DISTRICTS**

Within the city there are Interstate Highways that contribute to domestic and international trade between the United States, Canada and Mexico. Significant infrastructure improvements have been or will be completed to further facilitate trade and commerce and contribute to the economic development initiatives of the City of San Antonio. To preserve, enhance, and perpetuate the value of these Interstate Highways the City Council hereby authorizes the

establishment of a National Highway System (NHS) High Priority Corridor overlay zoning district.

The purposes of this overlay district is as follows:

- To create a more attractive, cohesive, and safe environment for visitors, freight traffic and area residents.
- To create favorable impressions of San Antonio to further promote targeted economic development initiatives of the city.
- To enhance San Antonio's image as a family friendly City.
- To preserve, protect, and enhance areas of high tourist and visitor visibility.
- To enhance the appearance and economic viability of areas along Interstate Highways.
- To reduce visual chaos and limit driver distractions along public roadways.
- To protect publicly funded capital investments in the national transportation infrastructure.

(a) NHS High Priority Corridor District Established.

This section authorizes the establishment of a NHS High Priority Corridor overlay district. However, separate ordinances are required to establish each district. This division also specifies the general purposes of the NHS High Priority Corridor district and the scope of the standards that the separate ordinances may address. Ordinances establishing each district shall identify the street corridor(s) and specify the individual purposes and standards for that district. In event of a conflict between the provisions of a specific corridor ordinance and other provisions of the Municipal Code, the provisions of this section shall apply.

(b) Designation Criteria.

To be designated an NHS High Priority Corridor District an area must be designated as a High Priority Corridor in the National Highway System in accordance with Section 1118 of the Transportation Efficiency Act of the 21st Century enacted in 1998 amending Title 23 of the United States Code (23 U.S.C).

(c) Initiation Procedures and Zoning Classification.

- (1) City Council Resolution shall initiate zoning changes to establish a specific NHS High Priority Corridor district.
- (2) The Planning Department shall undertake land use and other background studies necessary to establish a NHS High Priority Corridor district. All property owners

- (4) No building permit shall be issued by the Development Services Department for new construction or an alteration or addition to the street facade of an existing building or structure within a designated NHS High Priority Corridor District without the submission and approval of design plans submitted in conformance with the Development and Design Standards established pursuant to subsection (f) above and the issuance of a Certificate of Compliance by the Planning Director, provided however, a sign permit may be issued upon review of the applicable corridor ordinance by the Development Services Department without issuance of a Certificate of Compliance by the Planning Director.
- (5) The Development Services Director shall forward a copy of a building permit application to the Planning Director for review and comment. Upon receipt of all submittal materials required in subsection (1), the Planning Director shall issue or deny a Certificate of Compliance to the applicant within ten (10) working days. If approved or disapproved, the plan shall be so annotated and the plan shall be returned to the Development Services Department.
- (6) If the plan is not approved, the applicant may appeal the staff decision to the Board of Adjustment.

(h) Sign Standards.

- (1) General. The provisions of Section 28-220 of the Municipal Code shall apply to corridor districts established pursuant to this section, provided that in the event of a conflict between the provisions of a specific corridor ordinance and Section 28-220, the most restrictive provisions shall apply.
- (2) Prohibited signs. In addition to the signs prohibited by Section 28-220, no signs shall be permitted in public rights-of-way except for licensed residential monument signs and other signs expressly authorized by permit or license before the effective date of this section.
- (3) Nonconforming signs. Abatement of nonconforming signs shall be governed by Section 28-245, Nonconforming Sign Abatement, of this Code; provided however that the right to maintain any nonconforming sign shall terminate and shall cease to exist whenever the device is damaged or destroyed from any cause whatsoever and the cost of repairing such damage or destruction exceeds sixty percent (60%) of the replacement cost of the sign on the date of such damage or destruction.
- (4) On Premises Signs. The maximum sign height and message area shall be as indicated in Table 35-339.03-1. Sign consolidation incentives may be considered for individual corridors not to exceed the maximum sign areas in Table 35-339.03-1.

- (5) Off Premises Advertising Signs and Billboards. This ordinance does not prohibit signs advertising goods or services off-premises. However, such a prohibition may be adopted as a requirement of a designated corridor.
- (6) Sign Master Plan Development Agreements. No provision in this section may be construed to prohibit a Sign Master Plan Development Agreement as defined by Section 28-244 of the Municipal Code.
- (7) Automobile Sales. Where the primary use of a lot is automobile sales, one (1) freestanding sign shall be permitted for each two-hundred (200) linear feet of street frontage in accordance with Table 35-339.03-1. The maximum height and size for all allowed signs on lots where the primary use is automobile sales shall be in accordance with Table 35-339.03-1. On lots with frontage on more than one street, the same shall apply for each street.
- (8) Definitions. For the purposes of this section the following definitions apply:

Dual Tenant Sign. Dual tenant signs are signs that advertise no more than two (2) businesses, each with a separate Certificate of Occupancy on the same platted lot. Provisions pertaining to dual tenant signs may only be used when no more than two businesses occupy a single platted lot. An individual tenant shall not exceed the maximum allowable message area of a single tenant sign as designated in Table 35-339.03-1. Commentary: The provision of dual tenant signs in corridor districts is to encourage the reduction in the number of freestanding signs.

Monument Sign. Monument signs are signs that are directly supported by the earth for the full width of the sign face area.

Freestanding Sign. Freestanding signs means any type of sign supported by structures or supports that are placed on, or anchored in, the ground and is independent of any structure and of a permanent nature. This type of sign shall include any form of monument sign as defined in Chapter 28 of the Municipal Code.

(j) Public Facilities and Utilities

Public agencies shall take into account a corridor designation and be sensitive to the intent and provisions of a corridor ordinance in the siting and design of projects and facilities that are located within or adjacent to a corridor district. On-site utilities may be required to be located underground unless required by the utility to be otherwise located. Public agencies that own property within a corridor district shall be encouraged to provide landscaping along public rights-of-way.

TABLE 35-339.03-1

1. MAXIMUM SIGN HEIGHT

The maximum sign height for freestanding signs shall be established in accordance with the table below as measured feet. The maximum sign heights below shall apply to Arterial Type A, Arterial Type B and Expressways in the District.

<u>A. Single Tenant</u>	<u>10 – 45 ft.</u>
<u>B. Dual Tenant</u>	<u>10 – 45 ft.</u>
<u>C. Multiple Tenant</u>	<u>10 - 50 ft</u>

Up to an additional 10 feet of overall sign height may be added if the adjacent street grade is elevated. The difference in elevation between the property and the street grade shall be the determining factor in the height allowed.

2. MAXIMUM FREESTANDING SIGN MESSAGE AREA (single/dual/multiple tenant)

The maximum sign face area for freestanding signs shall be established in accordance with the table below as measured in square feet.

<u>A. Single Tenant</u>	<u>100 – 300 sq ft</u>	<u>(Expressway)</u>
	<u>65 – 200 sq ft</u>	<u>(Arterial Type A or B)</u>
<u>B. Dual Tenant</u>	<u>100 - 375 sq ft</u>	<u>(Expressway)</u>
	<u>100 – 240 sq ft</u>	<u>(Arterial Type A or B)</u>
<u>C. Multiple Tenant</u>	<u>130 - 500 sq ft</u>	<u>(Expressway)</u>
	<u>130 – 400 sq ft</u>	<u>(Arterial Type A or B)</u>

3. NUMBER OF FREESTANDING SIGNS

To be determined for each designated NHS High Priority Corridor District, provided that, one freestanding sign per platted lot is permitted. Additional freestanding signs may be permitted if a minimum spacing between signs of two hundred (200) feet exists along one side of the street and no sign is within the clear vision area defined by Section 35-506. Except in those instances provided in section (h) (7) above, additional freestanding signs shall not exceed seventy-five (75%) percent of the allowable height and size set out in Table 35-339.03-1.

4. MAXIMUM ATTACHED SIGN MESSAGE AREA

The maximum allowable sign area, as a percentage of the area of each building elevation, for attached signs along all street frontage shall be as follows, provided that each occupancy that has a separate and distinct public entrance located on an Arterial Type B street shall be allowed a minimum of fifty (50) square feet of sign message area, each occupancy that has a separate and distinct public entrance located on an Arterial Type A street shall be allowed a minimum of seventy five (75) square feet of sign message area, and each occupancy that has a separate and distinct public entrance located on an Expressway shall be allowed a minimum of one hundred (100) square feet of sign message area.

- A. Cabinet Sign; Painted or Flat Sign 15%
- B. Channel Letters Raised or Incised 20%